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C O N F I D E N T I A L SECTION 01 OF 02 SARAJEVO 000516

SIPDIS

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TAGS: [PREL](#) [PGOV](#) [PINR](#) [KDEM](#) [KCRM](#) [KJUS](#) [BK](#)

SUBJECT: BOSNIA -- DISCIPLINARY COMMITTEE CLEARS SIPA
ASSISTANT DIRECTOR LUKAC OVER DODIK FILE

REF: A. SARAJEVO 249

[B](#). SARAJEVO 240

[C](#). SARAJEVO 210

[D](#). SARAJEVO 280

Classified By: Michael J. Murphy. Reasons 1.4(b), (d)

Disciplinary Committee Clears Lukac

[1](#). (C) On April 22 a Disciplinary Committee of the State Investigation and Protection Agency (SIPA) cleared Assistant Director Dragan Lukac (Croat) of any wrongdoing when he submitted a criminal report against several Republika Srpska Government (RSG) officials, including RS Prime Minister Milorad Dodik, directly to the State Prosecutor's Office (SPO) without first consulting SIPA Director Mirko Lujic (Serb). The three-person Disciplinary Committee (consisting of two Serbs and a Croat) came to their ruling after two sessions in which Lukac mounted a strong defense for which he submitted a large volume of documentation demonstrating a clear pattern of having informed Lujic on many occasions on the status of the report against Dodik. It is as yet unclear whether the SIPA Internal Affairs Unit will appeal the Disciplinary Committee's decision.

[2](#). (C) Following his acquittal Assistant Director Lukac spoke briefly with the press. Lukac said he was "glad the multiethnic committee's decision to acquit him had been unanimous and that now work can continue without any outside pressures on the (Dodik RSG) investigation." There have not been any official comments on the decision from Dodik or other RSG officials. They have tried to use the affair to discredit state-level law enforcement and judicial institutions, even threatening to withdraw from state institutions, which they alleged, were under control of anti-Serb, anti-RS "parallel structures" (Refs A and B).

Reason for the Disciplinary Committee Hearing

[3](#). (C) Back on February 19 -- the day the news of the criminal report broke -- SIPA director Mirko Lujic told the press that he "knew nothing about the report" and that Assistant Director Dragan Lukac had filed the report with the State Prosecutor's Office without consulting or even informing Lujic (Ref C). The report itself, along with Lujic's claims, sparked a media firestorm in which RS officials and media accused Lukac of having broken the law. RS officials also called for SIPA to take disciplinary action against Lukac (Ref B). Soon thereafter SIPA's Internal Affairs Unit launched an investigation into possible

violations of law/procedures by Lukac related to the delivery of the criminal report to the State Prosecutor's Office. It was this report, the only report with official standing, that SIPA's Disciplinary Committee considered.

CoM and Parliament get Involved

¶4. (C) Other Bosnian government bodies discussed "unofficial reports" about the episode and Lukac's conduct. On March 5, the Council of Ministers (CoM) met to discuss one of these: a confidential informational report drafted and submitted by SIPA Director Lujic ("Lujic Report"). This report contained only Lujic's own assertions about offenses Lukac allegedly committed; it also asked the CoM to remove Lukac. The CoM balked at this request. (Ref D). On April 6, the Joint Parliamentary Committee on Defense and Security (JCDS) met to discuss yet another report submitted by Lujic, but like Lujic's report to the CoM, his report to the JCDS had no official standing. This did not prevent Dodik ally and Alliance of Independent Social Democrat (SNSD) representative Dusanka Majkic from arguing that Lukac should be sanctioned based on Lujic's version of events. However, the JCDS voted to wait for the final outcome from the SIPA Disciplinary Committee before taking a stand on the issue. Now that the Disciplinary Committee has cleared Lukac, it is unclear if and when the CoM or JCDS will schedule follow-on sessions to discuss the issue and the reports they received from Lujic.

Comment

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¶5. (C) Lukac's acquittal by a multiethnic disciplinary committee will make it harder for RS officials to claim Lukac acted as part of a Bosniak-Croat conspiracy against Dodik and Republika Srpska. We expect them to continue to try, however. The report also vindicates claims by SIPA officials (other than Lujic) and the State Prosecutor's Office (SPO) that there was nothing illegal or procedurally out-of-order in SIPA's transmission of its investigatory report to the SPO. End Comment

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